



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): OHTAKA et al.
Serial No.: 10/673,338
Filed: September 30, 2003
Title: PASSENGER DETECTING APPARATUS FOR VEHICLE

Atty. Docket: 11-196
Group Art Unit: 2632
Examiner: TBD

Date: April 8, 2004

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Mail Stop: Petition

PETITION TO CORRECT INVENTORSHIP UNDER 37 CFR 1.48(a)

Sir:

This petition is being filed pursuant to 37 C.F.R. §1.48(a) to correct the inventorship of the above-identified application.

In particular, pursuant to 37 C.F.R. 1.48(a)(1), it is submitted that the inventorship originally set forth in the executed declaration signed by claimed inventor Koji Ohtaka dated September 22, 2003 was incomplete, and that the addition of second inventor Satoshi Goshima is necessary in order to accurately reflect the inventorship of the subject matter being claimed.

The error in inventorship occurred without deceptive intent by Mr. Goshima. A Statement Under Rule 1.48(a)(2) executed by Mr. Goshima that evidences his lack of deceptive intent in being initially omitted as a named inventor, as well as a Supplemental Declaration executed by both inventors pursuant to 37 C.F.R. 1.48(a)(3), are included with this Petition.

In addition, pursuant to 37 C.F.R. 1.48(a)(5), a Statement Under 37 CFR 3.73(b), in which DENSO Corporation (the original assignee of all rights in the present application in an original assignment executed by Mr. Ohtaka, a copy of which is attached to the Statement) consents to the addition of Mr. Goshima as an inventor in the above application, is attached.

Pursuant to 37 C.F.R. 1.48(a)(4), the required fee of \$130.00 as set forth in 37 C.F.R. §1.17(i) is enclosed herewith by check. Any further charges may be charged to Deposit Account 50-1147.

Respectfully submitted,



David G. Posz
Reg. No. 37,701
Customer No. 23400

DGP/TMA/yf

Posz & Bethards, PLC
11250 Roger Bacon Drive
Suite 10
Reston, VA 20190
(703) 707-9110



66296-LJS
US-03110-KS

Posz & Bethards, PLC

Supplemental Declaration and Power of Attorney for Patent Application

特許出願宣誓書及び委任状 Japanese Language Declaration 日本語宣言書

下記の氏名の発明者として、私は以下の通り宣言します。

As a below named inventor, I hereby declare that:

私の住所、郵便住所、国籍は下記の私の氏名の後に記載された通りです。

My residence, post office address and citizenship are as stated next to my name.

下記の名称の発明に関して特許請求の範囲に記載され、特許出願している発明内容について、私が最初かつ唯一の発明者（下記の氏名が一つの場合）もしくは最初かつ共同発明者であると（下記の名称が複数の場合）信じています。

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

PASSENGER DETECTING APPARATUS FOR VEHICLE

上記発明の明細書（下記の欄で×印がついていない場合は、本書に添付）は、

the specification of which is attached hereto unless the following box is checked:

_____ に提出され、米国出願番号または PCT 国際出願番号を _____ とし、
(該当する場合) _____ に補正されました。

was filed on September 30, 2003
as United States Application Number or PCT International Application Number 10/673, 338
and was amended on _____ (if applicable).

私は、特許請求範囲を含む上記補正後の明細書を検討し、内容を理解していることをここに表明します。

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

私は、連邦規則法典第 37 編第 1.56 項に規定されるとおり、特許性の有無について重要な情報を開示する義務があることを認めます。

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

私は、以下に記載する特許もしくは発明者証の外国出願について米国法典第 35 編 119 条(a)-(d) 項又は 365 条(b) 項に基づく外国優先権を、又は以下に記載する米国以外の国の少なくとも一ヵ国を指定している PCT 国際出願について米国法典第 35 編 365 (a) 項に基づく外国優先権をここに主張するとともに、優先権を主張している本出願の前に出願された特許もしくは発明者証の外国出願又は PCT 国際出願を、枠内をマークすることで以下に示します。

I hereby claim foreign priority under Title 35, United States Code, Section 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application for which priority is claimed.

Japanese Language Declaration
(日本語宣言書)

Prior Foreign Application(s)

外国での先行出願

1. 2002-289722

JAPAN

02/OCTOBER/2002

Priority Not Claimed(優先権主張なし)

(Number)	(番号)	(Country)	(国名)	(Day/Month/Year Filed)	(出願年月日)	<input type="checkbox"/>
2.						<input type="checkbox"/>
(Number)	(番号)	(Country)	(国名)	(Day/Month/Year Filed)	(出願年月日)	<input type="checkbox"/>
3.						<input type="checkbox"/>
(Number)	(番号)	(Country)	(国名)	(Day/Month/Year Filed)	(出願年月日)	<input type="checkbox"/>
4.						<input type="checkbox"/>
(Number)	(番号)	(Country)	(国名)	(Day/Month/Year Filed)	(出願年月日)	<input type="checkbox"/>
5.						<input type="checkbox"/>
(Number)	(番号)	(Country)	(国名)	(Day/Month/Year Filed)	(出願年月日)	<input type="checkbox"/>
6.						<input type="checkbox"/>
(Number)	(番号)	(Country)	(国名)	(Day/Month/Year Filed)	(出願年月日)	<input type="checkbox"/>
7.						<input type="checkbox"/>
(Number)	(番号)	(Country)	(国名)	(Day/Month/Year Filed)	(出願年月日)	

 Additional Foreign Application(s) is(are) listed on the attached sheet which is incorporated herein by reference.

私は、下記の米国仮特許出願について第35編米国法典19条(e)項に基づく権利をここに主張いたします。

I hereby claim the benefit under Title 35, United States Code, Section 119(e) of any United States provisional application(s) listed below.

(Application No.) (出願番号)	(Filing Date) (出願日)
-----------------------------	------------------------

私は、下記の米国特許出願について米国法典第35編120条に基づく権利、又は米国を指定している下記のPCT国際出願について米国法典第35編365条(c)に基づく権利をここに主張します。また、本出願の各請求範囲の内容が米国法典第35編112条第1段で規定された方法で先行する米国特許出願又はPCT国際出願に開示されていない限り、その先行出願の出願日以降で当該国内出願又はPCT国際出願の出願日までの期間中に入手された、連邦規則法典第37編1.56項で定義された特許性の有無に関する重要な情報について開示義務があることを認識しています。

(Application No.) (出願番号)	(Filing Date) (出願日)
-----------------------------	------------------------

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s), or 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code Section 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of application.

Application No. (出願番号)	Filing Date (出願日)
---------------------------	----------------------

Status : (現況)	Patented, (特許許可済)、	Pending, (係属中)、	Abandoned (放棄済)
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Japanese Language Declaration
(日本語宣言書)

DGP

私は、私自身の知識に基いて本宣言書中で私が行う表明が真実であり、かつ私の入手した情報と私の信じるところに基く表明が全て真実であると信じていること、さらに故意になされた虚偽の表明及びそれと同等の行為は米国法典第18編第1001条に基き、罰金または拘禁、もしくはその両方により処罰されること、そしてそのような故意による虚偽の声明を行えば、出願した、又は既に許可された特許の有効性が失われることを認識し、よってここに上記のごとく宣誓を致します。

委任状： 私は下記の発明者として、本出願に関する一切の手続を米特許商標局に対して遂行する弁理士または代理人として、下記の者を指名いたします。(弁護士、または代理人の氏名及び登録番号を明記のこと)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith (list name and registration number)

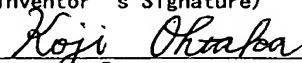
David G. Posz, Reg. No. 37701, Charles W. Bethards, Reg. No. 36453, R. Louis Breeden, Reg. No. 37286, James E. Barlow, Reg. No. 32377, Brian C. Altmiller, Reg. No. 37,271, Robert L. Scott, Reg. No. 43102, Teresa M. Arroyo, Reg. No. 50015 and all other attorneys and/or agents associated with PTO Customer No. 23400.

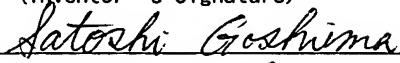
書類送付先 : (Send Correspondence to)

David G. Posz, Esq., Posz & Bethards, PLC, 11250 Roger Bacon Drive, Suite 10, Reston, VA 20190,
PTO Customer No. 23400

直接電話連絡先 (名前及び電話番号) : Direct Telephone Calls to (name and telephone number)

David G. Posz, Esq., (703) 707-9110

唯一または第一発明者 (Full name of sole or first inventor): Koji Ohtaka	
発明者の署名 (Inventor's Signature) 	
日付 (Date) :	March, 10, 2004
住所 (Residence) :	Chiryu-shi, Aichi-ken, Japan
国籍 (Citizenship) :	Japan
郵便住所 (Post Office Address) :	c/o DENSO CORPORATION 1-1, Showa-cho, Kariya-city, Aichi-pref., 448-8661 Japan

第二共同発明者 (Full name of second joint inventor): Satoshi Goshima	
発明者の署名 (Inventor's Signature) 	
日付 (Date) :	March, 19, 2004
住所 (Residence) :	Tokyo, Japan
国籍 (Citizenship) :	Japan
郵便住所 (Post Office Address) :	c/o Fuji Jukogyo Kabushiki Kaisha 7-2, Nishishinjuku 1-chome, Shinjuku-ku, Tokyo 160-8316 Japan

Additional Inventor(s) is (are) listed on the attached sheet which is incorporated herein by reference.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): OHTAKA et al.	Atty. Docket: 11-196
Serial No.: 10/673,338	Group Art Unit: 2632
Filed: September 30, 2003	Examiner: TBD
Title: PASSENGER DETECTING APPARATUS FOR VEHICLE	

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

STATEMENT UNDER 37 CFR 1.48(a)(2)

Sir:

I, Satoshi Goshima, hereby state that I was originally omitted as a named inventor in the above identified pending U.S. patent application, and that such error in inventorship occurred without deceptive intention on my part.

Date: March 19, 2004

By: Satoshi Goshima
Satoshi Goshima

O I P E JG159
APR 08 2004
PATENT & TRADEMARK OFFICE

DUPLICATE

Form PTO-1595

(Rev. 03/01)

OMB No. 0651-0027 (exp. 5/31/2002)

RECORDATION FORM COVER SHEET

PATENTS ONLY

U.S. DEPARTMENT OF COMMERCE
U.S. Patent and Trademark Office

Attorney Docket No. 11-196

To the honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

(1) Koji OHTAKA

Additional name(s) of conveying party(ies) attached? Yes No

3. Nature of conveyance:

- Assignment Merger
 Security Agreement Change of Name
 Other _____

Execution Date(s): **(1) September 22, 2003**

2. Name and address of receiving party(ies)

Name: **DENSO CORPORATION**
 Street Address: **1-1, Showa-cho
Kariya-city, Aichi-pref.
448-8661 JAPAN**

Additional name(s) & address(es) attached? Yes No

4. Application number(s) or patent number(s):

Month Day Year

If this document is being filed together with a new application, the execution date of the application is : (1) **09 22 03**

A. Patent Application No.(s)

B. Patent No.(s)

Additional numbers attached? Yes No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: **David G. Posz**

Internal Address: _____

Street Address: **Posz & Bethards, PLC**

11250 Roger Bacon Drive, Suite 10

City: **Reston** State: **VA** Zip: **20190**

6. Total number of applications and patents involved: **1**

7. Total fee (37 CFR 3.41). \$ **40**

Enclosed

Authorized to be charged to deposit account

8. Deposit account number:

50-1147

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

David G. Posz (Reg. No. 37,701)

Name of Person Signing

Signature

September 30, 2003

Date

Total number of pages including cover sheet, attachments, and documents: **2**

Mail documents to be recorded with required cover sheet information to:
 Commissioner of Patents & Trademarks, Box Assignments
 Alexandria, VA 22313-1450

Attorney Docket No. _____

ASSIGNMENT

For good and valuable consideration, the receipt of which is hereby expressly acknowledged, the undersigned hereby agree(s) to assign, and hereby sell(s), assign(s) and transfer(s) to

DENSO CORPORATION

of 1-1, Showa-cho, Kariya-city, Aichi-pref. 448-8661 Japan

as Assignee, and its successors, assigns and legal representatives, the entire right, title and interest, in the United States of America and all foreign countries, to certain inventions known as

PASSENGER DETECTING APPARATUS FOR VEHICLE

described in an application for Letters Patent of the United States executed

- (A) X on even date herewith
(B) X on September 22, 2003
(C) _____ as U.S. Application Serial No. _____ filed on _____

as well as any and all continuations, divisions, and substitutes and reissues of said application for Letters Patent, and all Letters Patent that may be granted therefor. The undersigned hereby authorize(s) and request(s) the United States Commissioner of Patents and Trademarks to issue said Letters Patent to said Assignee.

The undersigned agree(s), when requested, to sign all papers, take all rightful oaths, and perform all acts which may be necessary for securing and maintaining patents for said inventions and for vesting title thereto in said Assignee.

The undersigned authorize(s) and empower(s) said Assignee to invoke and claim the benefit of the right of priority provided by the International Convention for the Protection of Industrial Property, or by any convention which may be henceforth substituted therefor, as may be necessary in connection with said application for said Letters Patent.

The undersigned also authorize(s) Posz & Bethards, PLC to insert hereon any further identification that may be necessary or desirable for recordation of this document.

Koji Ohtaka

Inventor 1: Koji Ohtaka

September 22, 2003

Date

Shinichi Hirabayashi

Witness

Inventor 2:

Date

Witness

Inventor 3:

Date

Witness

Inventor 4:

Date

Witness

Inventor 5:

Date

Witness

 Continued on page 2 for additional inventors



66296-LJS
LJ3-03/10-KS

Based on PTO/SB/96(08-00)

STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: **DENSO CORPORATION**

Application No./Patent No. **10/673,338**

Filed/Issue Date: **September 30, 2003**

Entitled: **PASSENGER DETECTING APPARATUS FOR VEHICLE**

DENSO CORPORATION, a **Corporation**
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. the assignee of the entire right, title, and interest; or
2. an assignee of less than the entire right, title and interest.

The extent (by, percentage) of its ownership interest is _____ %

in the patent application/patent identified above by virtue of either:

- A. An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

- B. A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
2. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
3. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

Additional documents in the chain of title are listed on a supplemental sheet.

Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee, and consents on behalf of the assignee to the addition of Mr. Satoshi Goshima as an inventor in the above-identified pending application.

March 9, 2004

Date

Hirohiko Usui

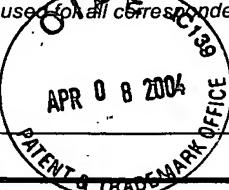
Typed or printed name

Hirohiko Usui

Signature

General Manager, Intellectual Property Dept.

Title

TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>		Application Number	10/673,338
		Filing Date	September 30, 2003
		First Named Inventor	OHTAKA
		Group Art Unit	2632
		Examiner Name	
			Attorney Docket Number

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input checked="" type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> To Convert a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request of Refund	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below): <ul style="list-style-type: none"> Petition to Correct Inventorship under 37 CFR 1.48(a) Supplemental Declaration Statement under 37 CFR 1.48(a)(2) Statement under 37 CFR 3.73(b)
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Posz & Bethards, PLC David G. Posz, Reg. No. 37,701
Signature	
Date	April 8, 2004

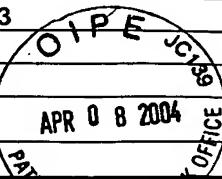
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

Complete if Known

Application Number	10/673,338
Filing Date	September 30, 2003
First Named Inventor	OHTAKA
Examiner Name	
Art Unit	2632

 Applicant Claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 130)

Attorney Docket No. 11-196

METHOD OF PAYMENT (check all that apply)

 Check Credit card Money Order Other None
 Deposit Account

Deposit Account Number 50-1147

Deposit Account Name POSZ & BETHARDS, PLC

The Commissioner is authorized to: (check all that apply)

- Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) during the pendency of this application
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code	Fee Code	Fee (\$)	Fee (\$)
1001	2001	770	385
1002	2002	340	170
1003	2003	530	265
1004	2004	770	385
1005	2005	160	80

SUBTOTAL (1) (\$ 0)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

		Extra Claims	Fee from below	Fee Paid
Total Claims	16	-20**=	0	x 18 = 0
Independent Claims	2	-3**=	0	x 86 = 0
Multiple Dependent				=

Large Entity	Small Entity	Fee Description
Fee Code	Fee Code	Fee (\$)
1202	2202	18
1201	2201	86
1203	2203	290
1204	2204	86
1205	2205	18

SUBTOTAL (2) (\$ 0)

** or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	130
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$ 130)

SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	DAVID G. POSZ	Registration No. (Attorney/Agent)	37,701	Telephone	(703) 707-9110
Signature				Date	April 8, 2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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